

KMCWC HemOnc Department
Summary of Findings
Analysis of Select Patient Files And Billing Data
January 4, 2000 to May 25, 2001

Summary

A review of select patient files and related billing data for Hematology/Oncology ("HemOnc") physicians Glaser, Medeiros, Wilkinson, and Woodruff was conducted on July 5, 2001. The review focused on invasive procedures identified by HemOnc nurse Dianne Fochtman as performed by her, rather than a HemOnc physician but billed by a HemOnc physician during the time period January 4, 2000 to May 25, 2001. The purpose of the review was to determine whether the notes in patient related documents identified whether Fochtman or a physician performed the invasive procedure; who documented the notes; and whether these same notes contained sufficient information to support the bill submitted.

Deloitte & Touche was retained by Kapiolani's outside counsel, Dennis M. Warren, to perform the work described in this document. All work associated with this project was undertaken at the direction of Mr. Warren, and/or Kapiolani's General Counsel, Sharon On Leng, working in concert with Mr. Warren.

During her interviews with Deloitte & Touche ("D&T") staff, Fochtman had reported that she personally maintained these logs and made notations on them for the purpose of identifying procedures performed solely by her; performed by her with the assistance of a physician; and performed solely by a physician.

Fochtman reported that she placed a check mark next to any invasive procedure listed on the schedule that she performs. If the physician had to intervene to assist her, she writes "unsuccessful" on the schedule sheets. She considers that she performed a procedure if the physician's only contribution is to supervise, make suggestions, or check medications, but does not intervene in the procedure itself. In the event the physician performed the procedure without Fochtman, she made no notation on the log.

Fochtman reported that if she wrote the procedure note and it was co-signed by a physician, the co-signature represented the physician's presence during the procedure. Fochtman reported that if a physician wrote a procedure note and she co-signed the note, the co-signature represented her presence during the procedure.

Methodology

Objective

The analysis was performed in order to determine if the medical record documentation supported physician billing.

Sampling Unit

The sampling unit used for this analysis was a procedure.

Population

A total of 101 invasive procedures were identified as having been performed by nurse Fochtman and billed by a physician. The four invasive procedures are as follows: Diagnostic Spinal (CPT code: 62270), Bone Marrow Aspiration (CPT code: 85095), Bone Marrow Biopsy (CPT code: 85102), Chemotherapy Lumbar (CPT code: 96450).

Sampling Frame

Forty-eight procedures were judgmentally selected and analyzed. The procedures were billed by one of four attending physicians (Glaser, Medeiros, Wilkinson, Woodruff)¹ with dates of service from January 21, 2000 to May 3, 2001. Counsel directed D&T as follows to analyze a subset of procedures for each physician that were identified by Fochtman as performed by her.

Dr. Glaser	5 of the 7 procedures checked by Fochtman
Dr. Medeiros	7 of the 9 procedures checked by Fochtman
Dr. Woodruff	36 of the 85 procedures checked by Fochtman

Findings

Dr. Glaser

Five procedures billed by Dr. Glaser were identified as performed by Fochtman according to her schedule logs, with the following results:

1. In one case, the procedure note dictated and signed by Dr. Glaser. No anesthesia record was provided. This procedure was performed on the inpatient unit. Medical records produced for this review show no evidence of involvement by Fochtman.

¹ There were no procedures billed by Dr. Wilkinson where Fochtman made a notation that she performed the procedure.

2. In one case, the procedure note written by Fochtman for a bone marrow aspiration. Dr. Glaser documented performing a skin biopsy and then notes "I was present throughout both procedures and performed or provided hands-on support." Neither procedure note is signed.
3. In two cases, the procedure note documented by Fochtman with co-signatures by Dr. Glaser and statements indicating his presence during the procedure. Dr. Glaser's notations included "LP and BMA done as above without complications" and "procedure done under my direct supervision, present and assisted in room throughout procedure".
4. In one case, there was no medical record documentation produced that contained a procedure note.

Dr. Medeiros

Seven procedures billed by Dr. Medeiros were identified as performed by Fochtman according to her schedule logs, with the following results:

1. In one case, the procedure note was documented by Fochtman and co-signed by Dr. Glaser with the statement "done under my direct supervision." The anesthesia record identified Dr. Glaser and Fochtman as the surgeons. The anesthesiologist noted that Fochtman performed the lumbar puncture.
2. In four cases, the procedure note was documented by Fochtman and co-signed by Dr. Medeiros with the statements "procedure performed with my assistance" and "I actively participated in this procedure". One of these procedures did contain an anesthesia record that noted both Dr. Medeiros and Fochtman as the surgeons and a note from the anesthesiologist stating "LP with chemo by Dr. Fochtman, PNP".
3. In two cases, the procedure note documented by Dr. Medeiros contained the statement "assisted by Dianne Fochtman, PNP."

Dr. Woodruff

Thirty-six procedures billed by Dr. Woodruff were identified as performed by Fochtman according to her schedule logs, with the following results:

1. In fifteen cases, the procedure note documented was by Dr. Woodruff and co-signed by Fochtman. Three of the procedures had additional documentation from the anesthesiologist noting on the anesthesia record that the procedure was

performed by Fochtman. The other anesthesia records did not contain additional notes specific to who performed the procedure.

2. In eight cases, the procedure note was documented by Dr. Woodruff without co-signatures by Fochtman.
3. In six cases, the procedure note was documented by Fochtman and co-signed with a signature and participation statement by Dr. Woodruff. Dr. Woodruff documented "I participated in the procedure."
4. In two cases, the procedure note documented by Fochtman and is co-signed by Dr. Woodruff without a participation statement.
5. In one case, the procedure note was documented by Fochtman. There is no documentation by Dr. Woodruff.
6. In one case, the procedure was performed in the OR in conjunction with a surgical procedure. The anesthesiologist and the surgeon note that the procedure was done by Fochtman. The procedure note was dictated and signed by Dr. Woodruff. Based on the medical record documents given to us, there does not appear to be any documentation by Fochtman.
7. In one case, the procedure note was documented by Dr. Woodruff. In addition, Fochtman writes and signs a procedure note. Dr. Woodruff does not document that she was assisted, and Dianne does not document that she was assisted. Dr. Woodruff did not co-sign Fochtman's note, and Fochtman does not co-sign Dr. Woodruff's note. The procedure took place on the inpatient floor.
8. In one case, no procedure was noted documented. However, the anesthesia record noted Dr. Woodruff and Fochtman as the surgeons.
9. In one case, no procedure note was documented nor was there documentation on the anesthesia record noted.

Monetary Impact

The following charts set forth the detailed findings by physician by procedure reviewed. The charged amounts are considered to be non-billable services.

Dr. Glaser

MR #	DOS	Procedure Note Documented by	Co-Signature by NP	Procedure Note Documented by LP or nurse	Procedure	Charge Amount	Category
553562	01/05/01	Fochtman, NP	No	Yes	LP with chemo	294.00	3
556082	01/31/01	Dr. Glaser	No	No	LP with chemo, BMA	495.00	1
552672	02/05/01	Fochtman, NP	Yes	No - only nursing note	LP with chemo, BMA	294.00	3
551674	02/08/01	Fochtman and Dr. Glaser	No	Yes	BMA, Bx, skin Bx	448.00	2
553562	03/02/01	None	No	Yes	LP with chemo	294.00	4
Total \$						1,531.00	

Dr. Medeiros

MR #	DOS	Procedure Note Documented by	Co-Signature by NP	Procedure Note Documented by LP or nurse	Procedure	Charge Amount	Category
373777	02/22/00	Dr. Medeiros	No	No	LP with Chemo, BMA	495.00	3
438739	04/04/00	Dr. Medeiros	Yes	No - only nursing note	LP with Chemo	294.00	3
438687	06/29/00	Fochtman, NP	Yes	No - only nursing note	LP with Chemo	294.00	2
243293	07/17/00	Fochtman, NP	Yes	No - only nursing note	BMA	201.00	2
489058	09/26/00	Fochtman, NP	Yes	No - only nursing note	LP with Chemo	294.00	1
457288	05/03/01	Fochtman, NP	Yes	No - only nursing note	LP, BMA	367.00	2
440818	05/03/01	Fochtman, NP	Yes	No - only nursing note	LP with Chemo	297.00	2
Total \$						2,242.00	

Dr. Woodruff

MR #	DOJ	Procedure Note Documented by	Signature by NP	Procedure Note Documented by P.A. Nurse	Procedure	Charge Amount	Category
522844	01/21/00	Fochtman, NP	n.a	No	LP with Chemo	294.00	5
392296	02/02/00	None	n.a	No	LP with Chemo	294.00	8
440818	02/08/00	Dr. Woodruff	Yes	No-only nursing note	LP with Chemo	294.00	1
518295	02/22/00	Dr. Woodruff	Yes	No-only nursing note	LP with Chemo	294.00	1
400017	2/23/00	Dr. Woodruff	No	No-only nursing note	LP with Chemo	294.00	2
440818	03/03/00	Dr. Woodruff	Yes	No-only nursing note	LP with Chemo	294.00	1
217906	03/06/00	Dr. Woodruff	Yes	No-only nursing note	BMA, Bx	247.00	1
533517	03/21/00	Dr. Woodruff	Yes	No-only nursing note	LP with Chemo	294.00	1
373777	04/03/00	Fochtman, NP	n.a	No	LP with Chemo	294.00	3
522844	05/01/00	Dr. Woodruff	Yes	No-only nursing note	LP with Chemo	294.00	1
282336	05/02/00	Dr. Woodruff	No	No-only nursing note	LP with Chemo	294.00	2
260974	05/05/00	Fochtman, NP	Yes	No-only nursing note	LP with Chemo	294.00	3
497907	05/10/00	Fochtman, NP	Yes	No-only nursing note	BMA, Bx	247.00	3
445270	05/19/00	Dr. Woodruff	No	No-only nursing note	LP with Chemo	294.00	2
538757	05/23/00	Dr. Woodruff	Yes	No	BMA	201.00	1
392926	05/26/00	Dr. Woodruff	No	No-only nursing note	LP with Chemo	294.00	2
243293	07/31/00	Dr. Woodruff	Yes	No-only nursing note	BMA, Bx	294.00	1
282336	10/10/00	Dr. Woodruff	No	No-only nursing note	LP with Chemo, Bladder cath	294.00	2
276183	10/17/00	Dr. Woodruff	Yes	No-only nursing note	BMA, Bx	247.00	1

MR #	DOS	Procedure Note Documented by	Co-Signature by NP	Procedure Note Documented by PA/PT nurse	Procedure	Charge Amount	Category
534405	10/20/00	Dr. Woodruff	No	No-only nursing note	LP with Chemo	294.00	2
550325	11/27/00	Dr. Woodruff	Yes	No-only nursing note	BMA, Bx	247.00	1
457288	11/28/00	Dr. Woodruff	No	No-only nursing note	BMA	201.00	2
533517	12/05/00	Fochtman, NP	Yes	No-only nursing note	LP with Chemo	294.00	3
507161	12/14/00	Dr. Woodruff	No	No	LP, BMA, Bx	413.00	2
552672	12/19/00	None	n.a.	No	LP, BMA	294.00	9
553562	12/22/00	Dr. Woodruff	Yes	No-only nursing note	LP	294.00	4
522844	01/09/01	Dr. Woodruff	Yes	No-only nursing note	LP with Chemo, BMA	201.00	1
420548	01/11/01	Dr. Woodruff	Yes	No-only nursing note	LP with Chemo	294.00	1
552672	02/20/01	Fochtman, NP	Yes	No-only nursing note	LP with Chemo	294.00	3
199639	02/22/01	Dr. Woodruff	Yes	No-only nursing note	LP with Chemo	294.00	1
554916	03/16/01	D. Fochtman and Dr. Woodruff	No	No	LP with Chemo	294.00	7
260974	04/13/01	Fochtman, NP	Yes	No-only nursing note	LP, BMA,	294.00	4
552672	04/23/01	Dr. Woodruff	Yes	No-only nursing note	LP, BMA	294.00	1
515243	04/23/01	Dr. Woodruff	No	No	LP, BMA, Bx	495.00	6
554916	04/27/01	Dr. Woodruff	Yes	No-only nursing note	LP with Chemo	294.00	1
556082	02/07/01	Fochtman, NP	Yes	No-only nursing note	LP, BMA	495.00	3
Total						\$10,638.00	

HemOnc Dept. - Revenue and Compliance Meeting

March 10, 1999

Proposed Agenda

MEETING PURPOSE: Ongoing review of HEMONC Billing Results

I. **Physician Feedback (Coding Review with Examples)** Rick/Kathleen

- Physicians are coding Followup Consult (99261-99263) when they should be coding Subsequent Hospital (99231-99233) - encounter doesn't meet criteria for Followup Consult.
- Physicians are coding for Office Visit, Estab, High (99215) when they should be coding for Office Visit, Estab, Mod (99214).
- If notes do not clearly evidence only physician performing or state "Personally Performed by Me", Coders are removing procedure from billing. The following procedures are not billable unless personally performed by the physician:

94650 Chemotherapy into CNS
85095 Bone marrow aspiration
85102 Bone marrow biopsy
62270 Lumbar puncture, diagnostic

These are being identified on "pink" slip by different handwriting.

These will be notated in system with a Nurse Practitioner Modifier, for tracking purposes. However, we will enter them as a non-billable.

- Charge Slip does not always match the DX on documentation (contains more Dx than what is written on the charge slip and/or does not match).

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A20608

HemOnc Dept. - Revenue and Compliance Meeting

July 9, 1999

Proposed Agenda

MEETING PURPOSE: Ongoing review of HEMONC Billing Results

3. Coding Review (refer to examples): Jeri Leong
- Documentation doesn't support billing of Prolonged Service
 - Cannot bill for Lumbar Puncture and Bone Marrow Aspiration if procedure is performed by NP
- One Dr. did a good job in documenting that "This was done by me; bill it!"

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A20609

Letter to all KMS Physicians from
KMS President Richard Friedman
Dated August 27, 1999

Exact text of August 27, 1999 email, retyped for readability:

-----Original Message-----

From: Richard Friedman, M.D.
Sent: Friday, August 27, 1999 10:59 AM
To: 'Audrey Nakachi'; 'Roy Nakayama, MD'; Jan Miyamoto; Judy Riesen;
Mary Elaine Patrinos, MD; Trudy Guo, Ph.D.; Mae Kyono, M.D.; Byron Aoki,
MD; Carol Hirai, MD; Cynthia Tinsley, MD; Dan Murai, MD; 'David Easa,
MD'; Dexter Sato, MD; 'Greigh Hirata, MD'; 'Keith Ogasawara, MD';
Kenneth Nakamura, MD; 'Loren Yamamoto, MD'; 'Louise Iwaishi, MD'; Lynnae
Millar, MD; Lynn Iwamoto, MD; 'Peter Robbins, MD'; Robert Bidwell, MD;
'Rod Boychuk, MD'; Rupert Chang, MD; Sherrel Hammar, MD; Sherry Loo, MD;
Venkataraman Balaraman; MD; Alison Inaba; Brenda Nishikawa, MD; Chris
Derauf, M.D.; 'David Kurahara, MD'; Desiree Medeiros, M.D.; 'Evie
Yanagida, PhD'; Jana Silva, M.D.; Jean Ferrara; Jenny Uramoto, MD; June
Ching, PhD; Kara Yamamoto M.D.; Kelley Woodruff, M.D.; 'Linda Rosen,
MD'; Linton Yee, M.D.; Lynette Young-Nakagawa, MD; Maureen Chang, MD;
Nancy Luckie, MD; 'Neal Anzai, MD'; Pamela Merez, Psy.D.; Paula
Vanderford, M.D.; Randy Wada, M.D.; Robert Wilkinson, MD; 'Roger Hamada,
PhD'; Rosie Adam-Terem, PhD; Sneha Sood, MD; Steven Williams, M.D.;
Victoria Schneider, M.D.; 'David M. Godfrey'; 'Dan Jessop'; Gerald
Correa, M.D.; 'Helen Aldred'; 'Kathy Honda'; Richard Friedman, M.D.;
'Stan Michels, MD'; Kenneth Ash, M.D.; Deborah Trout, PhD; Raul Rudoy,
M.D.
Cc: Rick Robel; Fran Hallonquist; Bob Hee
Subject: Billing

To: All KMS Members,
From: Richard Friedman MD
Chief Medical Officer
Concerning: Billings

The events of the last week brought home to me, once again, the difficult task faced by all KMS members. You are all clinicians who must continually strive to provide your patients with the highest level of care, you are all teachers who are training future health care providers, and you are all professionals who can only perform these functions if you are fairly compensated for your services.

The KMS Central Billing Office (CBO) walks the very fine line between making sure you are appropriately compensated for your services yet insuring that we comply with all state and federal billing regulations. At times you may feel that these functions are at cross purposes. The regulations concerning billing and documentation are often confusing and the rules frequently change. The CBO functions both as your advocate and as your policemen. At times it is not clear if the CBO works for you or you work for the CBO.

A20610

KMS CBO has been working with the Kapiolani Health Compliance Office to make sure all our billing efforts are in compliance with state and federal regulations. We have involved certified coders, internal audits and physician education programs in these efforts. We will continue to work diligently in these areas.

Since the clinician is ultimately responsible for the accuracy of all bills submitted under their name, it is imperative that each of you becomes a knowledgeable participant in this process. This is not a pleasant task as most of you are interested in providing quality care and not in learning arcane rules and regulations. Unfortunately, if you do not become knowledgeable about these rules and regulations there is a grave danger that your ability to practice quality medicine will be compromised.

I urge each of you to attend the meetings held with the CBO concerning billing. I urge each of you to learn and understand the billing and documentation standards in your area. I urge each of you to strive to submit your bills in a timely manner. I urge each of you to assist KMS CBO in making sure you are fairly compensated for your services. Most importantly, I urge you to assist us in making sure we remain in compliance with all state and federal billing regulations.

The CBO is here to serve the KMS membership. If you disagree with the way billings are being handled or submitted it is imperative that you let us know about your concerns. In the end you have the final say and the final responsibility for anything submitted under your name. Please let me know if you ever have a concern about the accuracy or legality of any bill submitted by our organization. We will never submit a bill if you question its accuracy.

KMS CBO will continue to work hard to make sure KMS physicians are fairly compensated for their efforts. It will work even harder to make sure that our billing and documentation are always in compliance with all rules and regulations. Please make the success of this effort one of highest priority.

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A20611